

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Central Services	(2) MEETING DATE 11/15/2016	(3) CONTACT/PHONE Will Clemens, Central Services Director 781-5051	
(4) SUBJECT Submittal of a resolution amending the Director of Central Services' delegated lease authority pursuant to California Government Code section 25350.51. All Districts.			
(5) RECOMMENDED ACTION It is recommended that the Board adopt the attached resolution amending the Director of Central Services' delegated lease authority pursuant to Government Code section 25350.51.			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____) <input type="checkbox"/> Board Business (Time Est. ____)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date: <u>1/22/1991</u>	
(17) ADMINISTRATIVE OFFICE REVIEW <i>Nikki J. Schmidt</i>			
(18) SUPERVISOR DISTRICT(S) All Districts			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Central Services / Will Clemens, Central Services Director
781-5051

DATE: 11/15/2016

SUBJECT: Submittal of a resolution amending the Director of Central Services' delegated lease authority pursuant to California Government Code section 25350.51. All Districts.

RECOMMENDATION

It is recommended that the Board adopt the attached resolution amending the Director of Central Services' delegated lease authority pursuant to Government Code section 25350.51.

DISCUSSION

Pursuant to updated Government Code section 25350.51, the Board of Supervisors may, by resolution, delegate to the appropriate County official, the authority to lease or license real property for use by the County.

On January 22, 1991, the Board of Supervisors delegated this authority to the Director of General Services by adopting Resolution No. 91-46, which delegated to the Director of General Services the authority to lease real property for use by the County and to amend real property leases pursuant to Government Code section 25350.51, to the limit as was specified in the state code at that time which was \$2,500 per month in 1991.

The limits of Government Code section 25350.51 have increased over time and effective January 1, 2007, the State of California amended Government Code section 25350.51 to, among other things, increase the delegated authority to \$7,500 per month, extend the term of the lease or license to five years, and expand the delegated authority to obtain use of real property for the County by license or lease.

As authorized by County Code section 2.11.010, the Director of Central Services shall act as the purchasing agent pursuant to Chapter 2.36 of the County Code. The purchasing agent's authority to rent real property is also established by virtue of County Code section 2.36.030(4) which provides that the purchasing agent shall "negotiate and execute in the name of the County as lessee, rental of real property which the County may require except as otherwise provided in this code." This is consistent with Government Code section 25350.51, and said authority has been limited by the 1991 adopted resolution.

As further authorized by County Code Chapter 2.11.060, the Director of Central Services shall mean the same as the Director of General Services, whenever reference is made to the latter as a result of dissolving the General Services Agency and eliminating the Director of General Services position last year.

The attached resolution Delegating Authority to Lease or License Real Property for Use by the County to Director of Central Services reflects current statutory law as established by the State Legislature. The recommended action would increase the authority delegated to the Director of Central Services to match the authorized term and monetary limits described in Government Code section 25350.51, or as may be amended in the future, as well to include licenses.

Numerous other counties in the state have also adopted the current statutory law, including: San Diego County, County of Santa Barbara; Sacramento County; Riverside County; Contra Costa County; and Nevada County, to name a few.

OTHER AGENCY INVOLVEMENT/IMPACT

The Central Services Department and Office of County Counsel have worked in partnership on the recommendations. County Counsel has reviewed and approved the resolution as to form and legal effect.

FINANCIAL CONSIDERATIONS

There will be savings of administrative costs attributable to the streamlined lease and license process resulting from fewer items needing to be placed on the Board's agenda for approval. It is estimated that there will be annual savings of \$10,000 in staff time that will be freed up to handle other pressing real estate issues.

RESULTS

Approval of the proposed resolution Delegating Lease Authority to Director of Central Services will serve to reflect current statutory law, as amended in the future, pursuant to Government Code section 25350.51.

This action will contribute to a Well Governed Community by reducing costs and processing time, allowing the County to respond to real estate market conditions, and increasing efficiency of service by saving time on the Board's agenda (reducing the number of instances in which the Board will have to act regarding transactions involving the use of real property) and afford more time for handling other public and County business.

ATTACHMENTS

1. Resolution Delegating Authority to Lease or License Real Property
2. Government Code section 25350.51
3. Resolution 91-46